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## CERTIFICATE OF MAILING

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on 5/18/04  
[Signature]  
Jeffrey R. Kuester

In Re Application of:

Fleming, et al.

Serial No.: 10/637,178

Filed: August 8, 2003

Group Art Unit: 2642

Examiner: Unassigned

Docket No.: 190251-1771

**For: Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network Based on Available Resources**

The following is a list of documents enclosed:

Return Postcard  
Information Disclosure Statement  
PTO-1449, citing references A-S  
Cited references A-S

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- ☒ under 37 CFR 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement Under 37 C.F.R. 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(p).  
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Enclosed is a credit card authorization, authorizing the amount of \$ . Please charge \$ to deposit account 20-0778. At any time during the pendency of this application, please charge any fees required to Deposit Account 20-0778 pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No. 20-0778.

- ☒ Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.
- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s)

designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

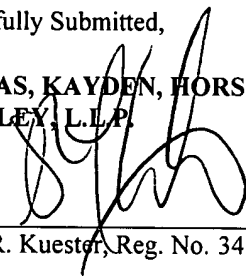
This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

**THOMAS KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

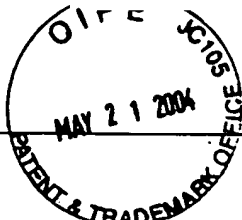
By:

  
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Jeffrey R. Kuester, Reg. No. 34,367

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Form PTO-1449

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*Attorney Docket No.  
**190251-1771**Serial No.  
**10/637,178**Applicant  
**Fleming et al.**Filing Date  
**August 8, 2003**Group  
**2642****U.S. PATENT DOCUMENTS**

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,423,003	6/6/95	Berteau	395	200	
	B	5,602,991	2/11/97	Berteau	395	200.01	
	C	5,933,490	8/3/99	White et al.	379	221	
	D	6,002,759	12/14/99	Kallioniemi et al.	379	220	
	E	6,084,872	7/4/00	Munson et al.	370	351	
	F	6,084,892	7/4/00	Benash et al.	370	701	
	G	6,097,804	8/1/00	Gilbert et al.	379	230	
	H	6,122,364	9/19/00	Petrunka et al.	379	265	
	I	6,608,893 B1	8/19/2003	Fleming et al.	379	230	8/12/98

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	J	2,228,189	7/31/98	Canada	H04Q	3/18		X
	K	EP 0802690 A1	10/22/97	EPO	H04Q	29/06		X
	L	WO 97/38551	10/16/97	PCT	H04Q	11/04		
	M	WO 98/04088	1/29/98	PCT	H04Q			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

	N	PCT/US99/05758 International Search Report by European Searching Authority of the PCT, date completed 7/1/1999
	O	By: Dr. Amir Atai and Dr. James Gordon; Bellcore White paper entitled: Architectural Solutions to Internet Congestion Based on SS7 and Intelligent Network Capabilities; copyright © 1997; pp. 1-18
	P	By: Dr. U. Shoen, et al.; Convergence Between Public Switching and the Internet, presented at XVI World Telecom Congress Proceedings, Presentation Session 3 – Internet, publication date 9/21/1997; pp. 549-560
	Q	By: Pat R. Calhoun, U.S. Robotics Access Corp. and Allan Rubens, Merit Network Inc.; DIAMETER; Internet Draft; dated: March 1997; 14 pages
	R	By: Rigney et al.; RADIUS Accounting, Network Working Group; dated: April 1997; pages 1-25
	S	By: C. Rigney et al.; Remote Authentication Dial-In User Service (RADIUS), Network Working Group; dated: January 1997; pages 1-64

\* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

EXAMINER'S SIGNATURE:

DATE CONSIDERED: